

Mason Schirmer

From: Adam Ripple <ARipple@rinkenoonan.com>
Sent: Monday, July 21, 2014 3:25 PM
To: Mason Schirmer
Cc: Matthew Loven; Mary Jo Rowan
Subject: RE: Cost Estimate

I will be quite honest-- it has the potential to be very expensive.

The property owner may pay the fine (assuming it is listed as "payable" with the Court) and correct the issue with no prosecution cost.

I've done winter parking stuff for Freeport in the past where people have agreed to pay the fine or we worked out a deal. (Rodney Atkinson was even one of the individuals before he was back on the Council.) Those we've usually been able to handle in a group (all from the same winter storm) and there's been a couple hundred dollars in legal costs.

Matt just did a prosecution for Rockville involving a house that was moved onto property without a permit. The guy got a lawyer, it went through arraignment, but was settled short of a trial. We had about \$4,000 in time into the file. Had it gone to trial, it could have easily been twice that.

These are always difficult issues since prosecution costs are part of doing business as a government and very little can be recouped from violators. The reality is that cities with very few prosecutions get penalized because their attorneys cannot provide an economy of scale. For example, cities with their own PD will have a prosecutor one day per week at Court churning through a bunch of violations at once. Unfortunately, violators are aware of the high cost of prosecution and – particularly those that represent themselves-- often have a perverse incentive to push things since they will only be out a small fine and maybe a misdemeanor or petty misdemeanor conviction, and they may get several months to continue to violate if the judge is uncooperative. All this while the City gets saddled with a big legal bill.

Some cities use administrative citations to try and address this, although the authority for this is shaky and I am not a fan. Also, depending on the city's goal your zoning ordinance may be more cost effective. Don't get me wrong, we are happy to prosecute, I just want Freeport to make that decision with its eyes open. We're happy to discuss this further if you have questions.

Adam A. Ripple
Attorney

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For prompt assistance, please contact my paralegal,
Julie Fincher at (320) 656-3527 or jfincher@rinkenoonan.com



Project: _____
Subject: _____
Date: _____ By: _____ SEH #: _____
Checked by: _____ Date: _____ Office: _____ File #: _____
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\$17/hour

Sams Expense to city @ full
time/part time.

Pera & Social Security = 15% \$1000

Extra Income = \$12,896

Health Insurance = \$10,000

Life Insurance = \$24

Cell phone = \$480

\$24,400/year

Extra Duties with ft/pt

- spraying, fertilizing, maintenance to lawns. min. \$5000/year savings
- Weekend on call rotation
- Safety ★ can't put a price tag on safety
- longevity in employment
- Water Quality Parameters are higher that require



Project: _____
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Sheet No: _____ Of: _____

More attention to maintain MN department of health & MN Pollution control agency regulations.

- Osha regulations to follow, most require two guys.
- flexibility for training courses and safety meetings.
(@ least someones around when Im @ a safety meeting or Water Wastewater conference)
- snow removal more productive and higher quality public Satisfaction.

Comparison

Holdingford = population 705 and declining
Freeport = pop. 656 and growing

Holdingford = 544 Acres

Freeport = 736 Acres

Freeport census	Holdingford
2000 > 454 people	2000 776 people
2010 > 632 people	2010 707 people
2014 666	2014 700

Memo

From: Mason Schirmer, Clerk-Treasurer

To: Freeport City Council

Date: July 23, 2014

Re: Pay Plan Development

Between council meetings, I asked each council member to review each type of pay plan then provide me with their #1 preferred choice and their #2 preferred choice. Along with this memo are the survey results.

Council member Rodney Atkinson opted to instead identify which plans he strongly opposed.

To help determine which plan council prefers, points were assigned to each response:

#1 response = 5points

#2 response = 4points

<u>Rank</u>	<u>Pay Plan Type</u>	<u>Score</u>
1.	Ranges Performance	14 points
2.	Ranges Steps Years Service	13 points + Rodney Opposed
3.	Ranges Steps Years Service/Performance	9 points
4.	Ranges Free Form	0 points
5.	Single Rates of Pay	0 points + Rodney Opposed

Unless otherwise directed by Council, I will direct Kathleen Murphy to develop a pay plan using Ranges Performance.

Pay Plans

Type of Plan	Advantages	Disadvantages
Single Rates of Pay \$14,000 Rodney Opposed		More difficult to administer Less Flexibility More difficult to defend May not reflect performance or length of service
Ranges Free Form \$14,000-18,200	Set perimeters Defines 'future' Flexibility Helps achieve/maintain Pay Equity	May be more difficult to defend
Ranges Steps Years Service Step 0 \$14,000 Step 1 \$ 14,532 Step 2 \$ 15,084 Step 3 \$ 15,657..... Ken's #1 Carrie's #2 Ron's #2 Rodney Opposed	Set perimeters More structured Defines 'future' Easier to defend Easy to understand Easy to administer Helps achieve/maintain Pay Equity	Less flexibility May be more expensive if not managed May be viewed as rewarding solely time in job
Ranges Performance \$14,000-18,200 OR \$14,000-\$15,084 \$15,085-\$16,870 \$ 16,871-18,200 Matt's #1 Ron's #1 Ken's #2	Set perimeters Defines 'future' More structured Rewards performance Easier to defend Easy to understand Helps achieve/maintain Pay Equity	Performance needs to be documented More difficult to administer
Ranges Steps Years Service/Performance \$14,000-\$15,084 (with Steps) \$15,085-\$16,870 (with Steps) \$ 16,871-18,200 (with Steps) Carrie's #1 Matt's #2	Set perimeters Defines 'future' More structured Rewards performance Rewards time job Easier to defend Easy to understand Helps achieve/maintain Pay Equity	Performance needs to be documented More difficult to administer

Mason Schirmer

From: KATHLEEN MURPHY <KMURPHYMMC@msn.com>
Sent: Monday, July 14, 2014 3:51 PM
To: Mason Schirmer
Subject: Re: Pay Plan Format

Follow Up Flag: Follow up
Flag Status: Completed

Mason- responding to your e-mail is difficult via e-mail.

Step 1 Philosophy and Project Outline in the proposal dated October 7, 2013 is THE most important part of the project, as that is when all of the 'what type of plan do you want' would be ironed out.

Briefly, the difference between Option # 3 (Ranges with Steps for Years of Service) and Option # 4 (Ranges with Performance) is:

Option # 3 would be like the plan the City of Freeport had in the past. An employee would move through the range for his/her position based on 'successful completion of years of service'. Below are three actual ranges from another city for their first pay 'groups':

<u>GROUP</u>	<u>I</u>	<u>II</u>	<u>III</u>	
Step	0	\$11.75	\$12.81	\$13.96
	1	\$12.20	\$13.29	\$14.49
	2	\$12.66	\$13.80	\$15.04
	3	\$13.14	\$14.32	\$15.61
	4	\$13.64	\$14.87	\$16.21
	5	\$14.16	\$15.43	\$16.82
	6	\$14.70	\$16.02	\$17.46
	7	\$15.26	\$16.63	\$18.12

There are '7' Steps in each range, and the amount of a step increase is 3.8%. Each range is 30% 'wide' (the distance between Step 0 and Step 7).

Options for this type of plan would be to have a greater or lessor 'width' of each range; having more or fewer steps in each range; having the amount of a step increase be more or less than 3.8%. These decisions would be based on concerns regarding cost, how long it takes an employee to get to the top step, how competitive the ranges should be.

The City could still conduct performance evaluations which would be used to determine if the employee completed a year of at least 'satisfactory performance' and for coaching and communication purposes.

If the city in the example above had Option 4 in place, there would be the same 'minimum' and 'maximum' rate for each range, but an employee would move through the his/her range based solely on performance.

The ranges above would then look like this:

<u>GROUP</u>	<u>I</u>	<u>II</u>	<u>III</u>
	\$11.75-15.26	\$12.88-16.63	\$13.96-18.12

Let me know if you have any questions about this response, or I can clarify anything. Kathleen

----- Original Message -----

From: [Mason Schirmer](#)

To: [Kathleen Murphy](#)

Sent: Wednesday, July 09, 2014 3:00 PM

Subject: Pay Plan Format

Kathleen,

From individual city council member responses, it seem Option #3 (Ranges Steps Years Service) and Option #4 (Ranges Performance) have gather the most interest. What are your thoughts on the two options?

Can you provide any additional information or materials that might help in their decision-making?

Sincerely,

Mason Schirmer, Clerk-Treasurer

City of Freeport

(320) 836-2112

mason@freeportmn.org



Memo

From: Mason Schirmer, Clerk-Treasurer
To: Freeport City Council
Date: July 23, 2014
Re: Creamery Purchase Option Update

Timeline

July 9th – I called Kelly and asked for a list of shareholders; Kelly said the City doesn't need that information and that the Board decides how money is paid to shareholders and said he would not provide the list.

July 9th – I called a Kelly a second time; this time I informed him I was audio recording the conversation. I asked Kelly again for the list, or at least a list of the top ten shareholders. Kelly said Board members are the majority owners. I asked Kelly to provide a list of names and how many shares each individual owns. Kelly said he would ask the Board if he should provide the list.

July 14th – I sent a copy of the asbestos report to all Creamery Board members.

July 18th – I sent a letter to Kelly following-up on my July 9th request (and cc'd it to all the Board Members).

July 23rd – I called Kelly and asked if the Creamery Board would be interested in receiving a counter-offer to purchase the property. Kelly said no; \$80,000 is the minimum the Board will accept.

*The Creamery Association reports 61,000 shares of ownership; however, the Board has yet to provide a list of shareowners, either complete or top 10.

Does the City Council want to approve the option to purchase the creamery property for \$80,000 (would include assuming responsibly for all asbestos and hazardous waste presently onsite)?

Memo

From: Mason Schirmer, Clerk-Treasurer
To: Freeport City Council
Date: June 17, 2014
Re: Creamery Association Offer Recap

The following is a detailed description of the events, communications and considerations regarding the purchase option the Creamery Association previous had with the City.

Several years ago, the Creamery Association Board offered to sell 107 Main Street West (creamery buildings and property) to the City of Freeport for \$80,000 (which does not include closing costs or survey).

Earlier this year, I asked Board President Kent Kelly and Board Member Florian Blenker if the building contained asbestos; both told me they believed there was no asbestos.

In June, the City obtained its own asbestos report for the creamery property. The report identified asbestos within various areas of the buildings; the report was sent to asbestos removal contractors. The City received estimates averaging \$60,000 to remove asbestos from the buildings before they can be demolished.

In regards to demolition, the City obtained estimates of approximately \$99,000 to demolish and remove the existing buildings. Furthermore, the site contains two (2) unsealed; Atkinson Well & Pump anticipates cost to exceed \$17,000.

According to the City's building official: "the cost to rehabilitate the building to convert it to another use would far exceed the value; and it would be nearly impossible to bring the building into compliance with today's building code." The roof leaks excessively, all windows are outdated and many broken (allowing bats to infest the building), the brick façade is crumbling, there is no sprinkler system and the interior needs asbestos abatement. Dangers exist within the creamery building, including an open elevator shaft.

In an effort to help eliminate an underutilized, blighted and hazardous property, the City explored the possibility of redeveloping the site into multi-family housing with financial help from a DEED redevelopment grant (which would still require the city to pay for 50% of costs).

Until recently, the City had been working extensively on enhancing the grant application; however, a component remaining to be addressed is sale price. After learning of the asbestos and unsealed wells, the City was no longer interested in purchasing the property for \$80,000.

Recently, I called Kelly and asked if the Board would be interested in receiving a counter-offer. He asked what it would be and I told him the city council has not made one; however, I would guess that it would be \$20,000 (\$80,000 - \$60,000 for asbestos removal). Kelly said "we're getting nothing then." I said the Creamery Association would get rid of a liability and walk-away

with cash. Kelly said it would be a no-sale. I asked him if that was his opinion or that of the Board. He said he would get back to me. On July 23rd I called Kelly again, and asked if the Board is interested in receiving a counter-offer from the City. Kelly said the Board would not consider any offer less than \$80,000.

Had the creamery worked with the city and agreed to sell the property, building permits for new multi-family housing could be obtained before the end of the year (since the grant application is due to DEED Aug 1st and notification of grant award would be received by mid-September).

A rule changes in the MN state building code that applies to building permits applied-for after Jan 1st, will require buildings such as the multi-family housing proposed for the creamery site to have sprinkler systems (an approximate \$6,000 cost increase per building). After Aug 1st, if the Creamery Association wants to sell to the city, costs will have been increased significantly. To prevent taxpayers from being burdened with the cost of such a delay, the City would likely only be willing to pay \$8,000 (\$20,000 - \$12,000 sprinkler cost for two buildings).

The property has \$5,600 in outstanding assessments for road improvements. By opting to sell the property, the creamery association would dispose of a liability without incurring a financial loss.

Since the buildings are crumbling and contain asbestos as well as rodents and pests, the City might consider an alternative method to eliminate the buildings from the community. Minnesota State Statute 463.16 (Repair or Remove Hazardous Property Condition) states “The governing body of any municipality may order the owner of any hazardous building or property within the municipality to correct or remove the hazardous condition of the building or property or to raze or remove the building.”

If the City was to successfully use §463.16, the Creamery Association could potentially end-up abating asbestos (\$60,000), sealing wells (\$17,000) and demolishing buildings (\$99,000) without any support from the City; the Creamery Association would end-up spending \$176,000 to have a bare lot.

To summarize, instead of disposing of the property and ending-up with cash, the Creamery Association could end-up spending a significant amount of money, or potentially forfeit the property altogether.

Mason Schirmer

From: Adam Ripple <ARipple@rinkenoonan.com>
Sent: Tuesday, July 22, 2014 3:04 PM
To: Mason Schirmer
Subject: RE: SS 463.16

Follow Up Flag: Follow up
Flag Status: Flagged

Possibly. When I've done these before we've had to get a building inspector in to write up a report. With uncooperative owners you may need an administrative search warrant to get the inspector inside. Sometimes the FD has enough photos, or enough is visible from public ROW, that the inspector can do a report without entering. Then you have to give a copy of the report and an opportunity to correct or demo before going further with the abatement. These are a little complicated, but very doable.

Adam A. Ripple
Attorney

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For prompt assistance, please contact my paralegal,
Julie Fincher at (320) 656-3527 or jfincher@rinkenoonan.com

From: Mason Schirmer [<mailto:mason@freeportmn.org>]
Sent: Tuesday, July 22, 2014 2:51 PM
To: Adam Ripple
Subject: SS 463.16

Adam,

Could the City (according to SS 463.16) order the Creamery Association to raze or remove the buildings?

Sincerely,

Mason Schirmer, Clerk-Treasurer
City of Freeport
(320) 836-2112
mason@freeportmn.org



CITY OF FREEPORT

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112 – FAX 320-836-2116
For TTY/TDD Users 1-800-627-3529 or 711 Minnesota Relay Service www.freeportmn.org

RESOLUTION 2014-017

A RESOLUTION ADOPTING BUSINESS SUBSIDY POLICY AND CRITERIA

WHEREAS, Minnesota Statutes, Sections 116J.993 through 116J.995 (the "Statutes") require the adoption of criteria for the granting of business subsidies as defined in the Statutes; and,

WHEREAS, the City of Freeport has determined that it is necessary and appropriate to adopt business subsidy criteria pursuant to the Statutes; and,

WHEREAS, the City of Freeport has performed all actions required by law to be performed prior to the adoption and approval of the proposed business subsidies, including the holding of a public hearing upon published notice as required by law on July 29, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Freeport, that the business subsidy criteria, contained in Exhibit A of this resolution are hereby approved, ratified, established, and adopted and shall be placed on file at the City of Freeport, Minnesota.

DATED THIS 29th DAY OF JULY, 2014

The business subsidy policy and criteria (Exhibit A) is available for public inspection at city hall.

Motion by:

Second by:

Council members in favor:

Council members opposed or abstained:

Matthew Worms, Mayor

ATTEST:

Mason Schirmer, Clerk-Treasurer

Memo

From: Mason Schirmer, Clerk-Treasurer

To: Freeport City Council

Date: July 23, 2014

Re: Wellhead Protection Plan

Due to the size of the document, only the Wellhead Protection Plan pages in question are included along with this packet. A complete WHP Plan document is available for public inspection at city hall.

Along with this memo is a Table 5 from the WHP Plan and Table 9.

During the May 27th city council meeting, council removed a line from Table 5 regarding private wells. By removing the line, if a private well owner wants to connect to city water they would be responsible for 100% of the costs; if a line is included in the WHP Plan Table 5 and scheduled in Table 9, then the MN Department of Health grant program will pay for the costs, since the “project” would be satisfying a goal within the WHP Plan.

It costs the taxpayers nothing to include the line in the tables.



CITY OF FREEPORT

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112 – FAX 320-836-2116
For TTY/TDD Users 1-800-627-3529 or 711 Minnesota Relay Service www.freeportmn.org

RESOLUTION 2014-018

A RESOLUTION ADOPTING A WELLHEAD PROTECTION PLAN

WHEREAS, Minnesota Wellhead Protection Rule Parts 4720.5100 to 4720.5590 require the adoption of a wellhead protection plan criteria for the granting of business subsidies as defined in the Statutes; and,

WHEREAS, the City of Freeport has determined that it is necessary and appropriate to adopt a wellhead protection plan pursuant to the Rules; and,

WHEREAS, the City of Freeport has performed all actions required by law to be performed prior to the adoption and approval of the proposed wellhead protection plan, including the holding of a public hearing upon published notice as required by law on July 29, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Freeport, that the wellhead protection plan, contained in Exhibit A of this resolution is hereby approved, ratified, established, and adopted and shall be placed on file at the City of Freeport, Minnesota.

DATED THIS 29th DAY OF JULY, 2014

Motion by:

Second by:

Council members in favor:

Council members opposed or abstained:

Matthew Worms, Mayor

ATTEST:

Mason Schirmer, Clerk-Treasurer

6.2 Comments Received

There have been several occasions for local governments, state agencies, and the general public to identify issues and comment on the City's WHP plan. At the beginning of the planning process, local units of government were notified that the city was going to develop its WHP plan and were given the opportunity to identify issues and comment. A public information meeting was held to review the results of the delineation of the wellhead protection area, DWSMA, and the vulnerability assessments. The meetings of the city's wellhead protection team were open to the public. Also, a public hearing was held before the completed WHP plan was sent to MDH for state agency review and approval. No comments were received during the open meeting process.

Table 5 – Issues, Problems, and Opportunities

Issue Identified	Impacted Feature	Associated Problem	Associated Opportunity	Adequacy of Existing Controls to Address the Issue
Unused and unsealed wells	Aquifer	Water quality is threatened.	The City can be proactive by informing the public about funding available to seal wells.	No controls exist.
No detection of contaminants	Aquifer	No opportunity to remedy an issue early.	Establish relationships with property owners in the DWSMA to use their wells to monitor water quality.	No controls exist.
DWSMA extends beyond City limits.	Aquifer	Unable to directly control environmental changes or land use.	Build relationships with other jurisdictional agencies and landowners.	No controls exist.
The WHP Plan is only a 10-year plan and issues, problems, and opportunities can change and impact implementation	Aquifer, Public Education, Planning	Beneficial action(s) may not coincide with the WHP Plan document.	Can continue to seek new, efficient and effective ways of protecting the wellhead	No controls exist
Backflow Prevention	Aquifer	Water can re-enter the well, creating contamination risk	Installing backflow preventers in the pump houses	No controls exist
Cross Connecting Aquifers	Aquifer	One Aquifer mixing	Use K-packers to isolate the upper aquifer	No controls exist

Table 9 – WHP Plan of Action

Data Collection												
Measure	Priority	Description	Objective Addressed	City Action Alone Unless Cooperator is Noted	Dollar Cost	Implementation time frame						
						2014	2015	2016	2017	2018	2019	2020
1	H	Verify the locations of wells that are constructed within a one-mile radius of the DWSMA. Send a letter in year one to listed cooperators requesting to be notified of well construction activities in the DWSMA, including irrigation and high capacity wells.	2	MDH, DNR	1,500	*	*	*	*	*	*	*
2	H	Assist MDH with updating the IWMZ Survey and address identified measures.	2	MDH	300	*				*		
3	H	Continue to search for unused, unsealed wells.	2	MDH	1,000	*	*	*	*	*	*	*
4	H	Survey landowners in the DWSMA to determine the status of existing private wells, including sand point and hand dug wells.	1,2,3		2,000		*					
5	H	Update the inventory of potential contaminant sources within the DWSMA.	2	MDH	2,000	*	*	*	*	*	*	*
6	M	Work with MDH to develop a private well monitoring program to sample private wells for contaminants and water quality trends. If well owners are unwilling to cooperate, skip this	2	MDH	5,000			*				*

Inner Wellhead Management Zone (IWMZ)												
Measure	Priority	Description	Objective Addressed	City Action Alone Unless Cooperator is Noted	Dollar Cost	Implementation time frame						
						2014	2015	2016	2017	2018	2019	2020
7	H	Implement measures that are specified in the Sanitary Survey, found in the Public Water Supply Routine Inspection Report received from MDH.	1,3	MDH	500						*	
8	H	Monitor and maintain the 200' radius around the wells to insure that setback distances for new potential contaminant sources are met.	1,3	MDH	2,500	*	*	*	*	*	*	*
9	H	Identify resource needs of adjoining property owners to meet setback distances and/or manage potential contaminate	1,3,5	MDH	200						*	
10	H	Update the Inner Wellhead Management Zone inventory (IWMZ).	1,3	MDH	200	*					*	

Land Use Management													
Measure	Priority	Description	Objective Addressed	City Action Alone Unless Cooperator is Noted	Dollar Cost	Implementation time frame							
						2014	2015	2016	2017	2018	2019	2020	2021
11	H	Assess the status of land use authority within the DWSMA	1,4	Oak and Millwood Townships, Stearns County	100		*						
12	M	Participate in County comprehensive planning and zoning to assure water quality is considered.	1,3,4	Stearns County	750	*	*	*	*	*	*	*	*
13	H	Participate in review of Stearns County SWCD Local Water Management Plan. The 10-year plan is reviewed every 5 years.	3,4	Stearns County SWCD	750				*				*
14	H	Ensure City Comprehensive Land Use Plan considers the DWSMA and water quality.	3,4		2,000	*							

Potential Contaminant Source Management													
Measure	Priority	Description	Objective Addressed	City Action Alone Unless Cooperator is Noted	Dollar Cost	Implementation time frame							
						2014	2015	2016	2017	2018	2019	2020	2021
15	H	Continue to monitor for Class V wells throughout the DWSMA. If Class V well is identified, inform landowner of responsibility to close the well and notify US EPA of	3	US EPA	500	*	*	*	*	*	*	*	*
16	H	Using results of private well inventory (Measure #4), distribute WHP Brochure, well management, and well maintenance information to all private well owners.	1,3	MDH	500		*						
17	H	Notify MDH and/or DNR about any new or proposed High- Capacity wells located within the DWSMA boundary Ask MDH & DNR to inform Freeport of well and sealing notifications, and well disclosures.	1,3	MDH, DNR	200	*	*	*	*	*	*	*	*
18	H	Locate and seal old municipal wells (#215125, #215126, #1924, 1929 and #1, and others as identified.	1,2,4	MDH, DNR	25,000	*	*	*	*	*	*	*	*
19	H	Work with identified land owners to seal unused/unsealed private wells. Request assistance from Stearns County SWCD, MDA, and MDH for well locations and funding to assist with well sealing.	1,2,3	SWCD MDH, MDA	500	*	*	*	*	*	*	*	*
20	H	Consider feasibility of a cross-connection ordinance and backflow prevention policy to prevent contamination of city wells from private wells.	1,2,3		1,000			*					
21	H	Work with Freeport Fire Department, Stearns County Highway Dept., and Stearns County Emergency Management to develop and implement a spill response plan	1,2,3,5	FD, Stearns County	1,000				*				

Public Education and Outreach													
Measure	Priority	Description	Objective Addressed	City Action Alone Unless Cooperator is Noted	Dollar Cost	Implementation time frame							
						2014	2015	2016	2017	2018	2019	2020	2021
22	M	Every 2 years, prepare a summary of wellhead protection activities for release to the public and distribute this information in a handout, describing WHP activities and the status of Plan Implementation.	1,3		500		*		*		*		*
23	M	Update the city website to distribute WHP Plan information, best management strategies, local ordinances, and WHP activities to the public.	1,3		800				*	*			
24	H	Inform land owners of any resources available to help fund sealing unused/unsealed private wells.	1,3	SWCD, MDA, MDH	200		*					*	
25	M	Erect and maintain wellhead protection area signs at the DWSMA boundaries	1,3	STEARNES HWY DEPT	2,000				*				
26	H	Distribute informational material to land owners regarding: Year 2 - Private Wells, well sealing Year 5 - Class V wells Year 8 - Geothermal Heating Systems	3		300		*			*			*
27	M	Consider supporting the Sauk River Watershed District (SRWD), especially school and youth events regarding water education.	1	SRWD	500	*	*	*	*	*	*	*	*
28	M	Consider joining the Central Minnesota Water Education Alliance (CMWEA).	1	CMWEA	500	*	*	*	*	*	*	*	*

Reporting & Evaluation

Measure	Priority	Description	Objective Addressed	City Action Alone Unless Cooperator is Noted	Dollar Cost	Implementation time frame							
						2014	2015	2016	2017	2018	2019	2020	2021
29	M	Assess WHP Plan implementation efforts every 2.5 years.	1,2,7		750			*		*			*
30	M	Refine costs for each WHP measure the City is responsible for; incorporate into annual WHP budget.	1,7		2,000	*	*	*	*	*	*	*	*
31	M	Summarize all WHP Plan implementation efforts in a report to MDH in the 8th year.	1,2,7		200							*	

Water Use and Contingency Planning														
Measure	Priority	Description	Objective Addressed	City Action Alone Unless Cooperator is Noted	Dollar Cost	Implementation time frame								
						2014	2015	2016	2017	2018	2019	2020	2021	2022
32	H	As training is made available, provide personnel with training in how to respond to spills and releases of hazardous materials.	6	Fire Department, Stearns County	1,500				*					
33	H	Develop and distribute the City’s WHP Contingency Strategy Plan. Review every 5 years and update if necessary. Coordinate emergency response initiatives with Stearns County.	6	Stearns County	200	*					*			

9.4 Cooperators

The following agencies listed in Table 10 have been requested to support the City with implementing the WHP measure(s) in which they are identified.

Table 10 - Cooperators

Agency	WHP Measure
Central Minnesota Water Education Alliance (CMWEA)	28
Freeport Fire Department (FD)	21,32
Millwood Township	11
Minnesota Department of Agriculture (MDA)	19,24
Minnesota Department of Health (MDH)	1,2,3,5,6,7,8,9,10,16,17,18,19,24
Minnesota Department of Natural Resources (DNR)	1,17,18
Oak Township	11
Sauk River Watershed District (SRWD)	27
Stearns County Emergency Management	21,33
Stearns County Environmental Services	11,12
Stearns County Highway Department	21,25
Stearns County Soil & Water Conservation District	13,19,24
US EPA Region V	15

Memo

From: Mason Schirmer, Clerk-Treasurer

To: Freeport City Council

Date: July 22, 2014

Re: City Code Section 200

During the June 24th city council meeting, council approved a motion regarding how the public shall address council. The procedure for addressing council is documented within Section 200 of the city code, included along with this memo.

Upon reviewing Section 200, I identified areas needing updating and/or correcting. Along with this memo is the code section as well as notations on where corrections/changes can be made to update to the code section.

Furthermore, if the city council wants to update city code section 200, Resolution 2014-019 has been included along with this memo for consideration.

Text to be included (taken from LMC Memo re: Meetings of City Councils dated 1/17/13):

Notice to public - The clerk-treasurer must also post written notice of the date, time, place and purpose of the special meeting on the city's principal bulletin board at least three days before the meeting. A principal bulletin board must be located in a place reasonably accessible to the public. If the city does not have a principal bulletin board, the notice must be posted on the door of its usual meeting room.

Council Rules and Procedures

Section 200 - Council Rules And Procedures

200.01- Regular and special meetings the last

Regular meetings of the council are held on ~~tuesday~~ of each month in the council chambers of ~~the city hall~~ at 7:30 p.m. unless otherwise specified by council resolution. Meetings may be adjourned from time to time to a specified date or subject to the call of the mayor. Meetings of the council must be open to the public. A meeting falling on a legal holiday is held the ~~next following business day.~~ Tuesday prior

200.03 - Quorum

A majority of council members elected constitutes a quorum, ~~but a smaller number may adjourn from time to time.~~

200.05 - Presiding officer and secretary

The mayor presides at the meetings of the council. The council must choose from its members an acting mayor. The city clerk-treasurer is the secretary of the council.

200.07 - First meeting

At the first regular meeting of the council in each year, the council must designate an official newspaper and depositories for official funds. The council may appoint such committees as it deems necessary.

200.09 - Council rules; presiding officer

The presiding officer must preserve order and decorum, decide questions of order, and conduct To help govern meetings. meetings in accordance with these rules. relies upon The city council ~~is governed in its procedure by~~ the provisions of Roberts Rules of Order (Newly Revised Edition) except where otherwise provided by law or by this chapter. The council may make and change its own rules from time to time by resolution duly adopted and any such changes supersede Roberts Rules of Order (Newly Revised Edition). The presiding officer may speak on any question being considered, and has the rights, privileges, and duties of any other member of the council.

200.1 - Motions reduced to writing

A motion must be reduced to writing at the request of any member present. Ordinances and resolutions must be presented in writing and read in full before a vote is taken thereon unless the reading is dispensed with by unanimous consent.

200.13 - Signing and publishing of ordinances

Ordinances must be signed by the mayor, attested by the clerk-treasurer, published after its passage by the council, and recorded by the clerk-treasurer in a property indexed book kept for the purpose.

200.15 - Special meetings use bullets

Special meetings of the council may be called by the mayor or by any ~~other~~ two members of the council. The call is made by filing a written statement with the clerk-treasurer containing, ~~a minimum, the following information:~~

~~1. The names and positions of the person or persons calling the meeting~~; and

~~2. The time and place of the special meeting~~; and

~~3. A request asking the clerk-treasurer to give the council members proper notice.~~

Notice to council -

The clerk-treasurer must then mail, at least one day before the meeting, notice to all the council members stating the time and place of the meeting. Special meetings will be held without such notice when all members of the council are present in person, or when the absent members have consented in writing to the holding of the meeting. A special meeting attended by all members of the council is to be conducted in the same manner as a regular meeting for the purpose of transacting business.

200.17 - Agenda See Memo for recommended additional text for Notice to public -

An agenda of business to come before the council must be prepared by the clerk-treasurer by the Thursday immediately preceding a regular city council meeting. The clerk-treasurer must furnish each member of the council with a copy of the agenda prior to the council meeting and as far in advance of the meeting as time for preparation will permit. A person desiring to be heard by the council must make the intention known to the clerk-treasurer of the substance of the matter to be presented so that it can be included in the agenda. Matters that have not been placed on the agenda will not be considered by the council unless the council is satisfied that the omission of the item from the printed agenda was inadvertent, or unless the matter is of such urgency that the council, by unanimous vote, suspends the rules for the consideration of the matter.

200.19 - Addressing council two

A person addressing the council is limited to ~~five~~ minutes, unless further time is granted by a majority vote of the council. Remarks must be addressed to the council as a body and not to any member thereof. ~~Questions may not be asked of council members, only through the presiding officer.~~ A person addressing the council must state their full name and address.

200.21 - Decorum

A person making personal, impertinent or slanderous remarks, or who becomes boisterous while addressing the council, may be barred from further audience before the council by presiding officer unless permission to continue be granted by a majority vote of the council. Meetings must be conducted in an orderly manner and proper decorum must be maintained throughout the meetings.



CITY OF FREEPORT

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112 – FAX 320-836-2116
For TTY/TDD Users 1-800-627-3529 or 711 Minnesota Relay Service www.freeportmn.org

CITY OF FREEPORT, MINNESOTA RESOLUTION 2014-019

A RESOLUTION CALLING FOR A PUBLIC HEARING ON ORDINANCE 2014-003, ENTITLED “AN ORDINANCE REPEALING AND REPLACING SECTION 200 OF CITY CODE RELATING TO COUNCIL RULES AND PROCEDURES”

WHEREAS, the City of Freeport (the “City”) desires to consider amendments to Section 200 of the Freeport City Code; and

WHEREAS, the City Council has done preliminary review of the statutory requirements and recommendations of the City Clerk, Mason Schirmer; and

WHEREAS, Minnesota law requires the City to hold a public hearing before the City adopts or amends an ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Freeport, Minnesota, as follows:

1. Public Hearing. The City shall hold a public hearing to consider adopting Ordinance 2014-003, on August 26, 2014, in the Freeport City Hall Council Chambers during the regular City Council Meeting which begins at 7:00 p.m.
2. Notice of Public Hearing. The City Clerk-Treasurer is authorized and directed to cause notice of the hearing to be published once in the official newspaper of the City at least 10 days prior to August 26, 2014. The publication is included as Appendix A of this Resolution.

DATED THIS 29TH DAY OF JULY, 2014

Motion by:

Second by:

Council members in favor:

Opposed or abstained:

Matthew Worms, Mayor

ATTEST:

Mason Schirmer, Clerk-Treasurer

Memo

From: Mason Schirmer, Clerk-Treasurer

To: Freeport City Council

Date: July 22, 2014

Re: Proclamation Policy

Proclamations are typically issued by the Mayor to recognize the importance of a community event, significant achievements by a community member, or to signal Freeport's role in significant national events.

Mayoral Proclamations typically must have a specific connection to Freeport, such as highlighting an event taking place in Freeport or honoring a Freeport resident. Depending on the desire of the requesting party, Proclamations may be read at a City Council meeting.

Along with this memo is Resolution 2014-020, which would establish a policy regarding how interested parties can ask for a mayoral proclamation.



CITY OF FREEPORT

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RESOLUTION 2014-020

A RESOLUTION APPROVING PROCLAMATION POLICY AND PROCEDURES

Policy

The Mayor will issue proclamations for extraordinary events that deserve special recognition. Proclamations will be issued for events or activities that affect a broad group of people. Content and subject matter of the proclamation must not take sides in matters of political, ideological or religious controversy or individual convictions. Proclamations will not be issued to honor birthdays or retirements.

Proclamations must not be used in whole or as part of an advertisement or commercial promotion, nor will they be issued for for-profit businesses or corporations. Any use of the proclamation in a news release or any other publication must be approved by the Mayor prior to publication.

Requests for proclamations must be made by or for a Freeport resident. Organizations are limited to one proclamation request within the same calendar year.

The Mayor reserves the right to modify or deny any proclamation request. The issuance of any proclamation does not indicate mayor endorsement of the event or the content of the event being proclaimed, and cannot be used for fundraising purposes.

Procedures

Complete the Proclamation Request Form at least 20 calendar days in advance of the date it is needed.

1. Proclamation requests must include the following:

- Contact person's full name, address, telephone number(s) and email address.
- The date when the proclamation is needed.
- A brief summary or background of the event and/or organization making the request.
- The name and date(s) of the day, week, month or event to be proclaimed.
- Proposed proclamation text (no more than 300 words in length), including "Whereas" clauses and a "Now therefore" (what is being proclaimed?)

2. Mail, hand deliver, or Email the form to:

City of Freeport
125 Main Street East
Freeport, MN 56331-0301
Email: city@freeportmn.org

Note: The preferred form of submission is email; other forms of submission may take additional time to process.

(continued on next page)



Recommended changes/updates

CITY OF FREEPORT

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Job Description for Administrative Assistant

Department: Office of the City Clerk-Treasurer

Reports to: City Clerk-Treasurer

Position Objective

This position assists the Clerk in the overall administration of city services to assure compliance with the city's policies, goals, and programs; manages and coordinates special projects; assists with the economic development projects; and performs general office tasks as assigned.

Accountability

1. Assist Clerk in a) Payment of invoices/bills; b) Recording of receipts and disbursements; c) Preparing payroll; and d) Reconciliation of bank statements, ~~etc.~~
2. Type letters and reports as assigned
3. Perform receptionist duties such as greeting customers and other visitors, receiving utility bill payments, answering the telephone and relaying messages
4. Performs responsible and confidential secretarial duties for City Clerk-Treasurer
5. Provides repetitive/standardized skilled typing and clerical support to office, program and/or administrative staff, and performs works well as required
6. Performs utility billing services which include data entry of receipts, preparation of invoices, and payment collection
7. Performs Fire/Rescue Department billing services which include data entry of receipts, preparation of invoices, and payment collection
8. Performs permit billing services which include data entry of receipts, preparation of invoices, and payment collection
9. Manages and coordinates special projects as assigned
10. Assists with economic development projects
- ~~11. Remove papers, maps, etc. from meeting rooms after City meetings.~~
11. Managing content on the city website and social media sites (e.g. Facebook)
12. Pick-up and sort mail

Performance Criteria

1. Performs duties ~~in a disciplined and cost effective manner~~ efficiently and professional
- ~~2. Creates favorable image of the City of Freeport, its governing entities, and its staff~~
- ~~3-2.~~ Ability to communicate in an ~~effectively with the general public and fellow city officials in an effective~~, tactful, and courteous manner
- ~~4-3.~~ Perform ~~such~~ other duties as ~~directed~~ assigned by the ~~City~~ Clerk-Treasurer

Training and Experience

1. High school graduate desirable
- ~~2. Experience in governmental affairs preferred~~
- ~~3-2.~~ Prior work history as an administrative assistant/secretary highly desired

1. Only Valid driver's license holders may operate golf carts on County Stearns.
2. Motorized golf carts may be operated within the city on county roads.
3. Motorized golf carts may only be operated on designated roadways from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
4. Motorized golf carts shall display the slow moving vehicle emblem provided in Minnesota Statutes Section 169.522, when operated on designated roadways.
5. Motorized golf carts shall be operated at all times as close to the right hand curb as possible, except when the driver is making a left hand turn.
6. No person shall operate a motorized golf cart on a public sidewalk or trail unless otherwise authorized by the county.
7. The number of occupants in the motorized golf cart shall not exceed the design occupant load. Each occupant must be seated in a seat designed for occupants.
8. All operator permits shall be issued for a specific motorized golf cart. A current county issued operator's permit tag shall be plainly visible from the front of the motorized golf cart.
9. Every motorized golf cart operator must have proof of insurance in possession while operating the motorized golf cart on designated streets and shall produce such proof of insurance on demand of a police officer as specified in Minnesota Statutes Section 169.791.
10. The motorized golf cart is in good working condition and safe for the transportation of passengers.
11. The permit expires on December 31st of each year.

Mailed 7-21-14



COPY

CITY OF FREEPORT

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For TTY/TDD Users 1-800-627-3529 or 711 Minnesota Relay Service www.freeportmn.org

July 21, 2014

Jeremy Birr
316 8th St SE
Freeport, MN 55331

Re: Sump Pail Water Discharge

Dear Mr. Birr,

Our last phone conversation was in regards to the discharge of your sump pail water. Along with this letter is a copy of Ordinance 2011-012.

Due to storm sewer being available to your property, the City hereby requests your cooperation in complying with the attached Ordinance.

During our phone conversation, you said your property was for sale and that you were going to leave the decision to connect your sump pail to the storm sewer up to the next owner of your property. You may opt to leave this responsibility to the next owner of your property; however, as you are aware under Minnesota state law you have an obligation to provide this information to any prospective buyer.

Feel free to contact me with any questions.

Sincerely,

Mason Schirmer, Clerk-Treasurer

Enclosure

**CITY OF FREEPORT
ORDINANCE 2011-012**

AN ORDINANCE 2011-012, ENTITLED "PRIVATE DRAINS" SUBDIVISION 4, SECTION 705 OF ORDINANCE VII, THE FREEPORT PUBLIC UTILITIES ORDINANCE, REGULATING PRIVATE DRAINS AND REQUIRING CONNECTION TO CITY STORM SEWER UPON AVAILABILITY

- I. THE CITY COUNCIL OF THE CITY OF FREEPORT, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, GENERAL HEALTH AND WELFARE, HEREBY ORDAINS SUBDIVISION 4 OF SECTION 705 OF ORDINANCE VII BE REPEALED AND REPLACED AS FOLLOWS:**

SECTION 705: PRIVATE DRAINS.

Subd. 4. All sump pumps shall have a discharge pipe installed to the outside wall of the building with one (1) inch inside minimum diameter. The pipe attachment must be a permanent fitting such as PVC pipe with glued fittings. The discharge shall extend at least five (5) feet outside of the foundation wall and must be directed toward the front yard or rear yard area of the property. Upon availability, the discharge pipe must be connected to an available storm sewer inlet provided by the City. A discharge pipe connected to the storm sewer must be disconnected during any month in which temperatures are expected to cause ground freeze and reconnected upon ground thaw. An alternative on-lot discharge system may be approved by the clerk.

- II. Effective Date. This Ordinance is effective upon its adoption and publication as prescribed by law.**

Adopted by the City of Freeport on the 29th day of November, 2011.



Matthew Worms, Mayor

Attest:



Victoria Holthaus, City Clerk



COUNTY OF STEARNS

ASSESSOR'S OFFICE

Administration Center RM 37 • 705 Courthouse Square • St. Cloud, MN 56303
320/656-3680 • Fax: 320/229-7032
www.co.stearns.mn.us

July 8, 2014

To: Stearns County Townships and Cities

From: Gary Grossinger, Stearns County Assessor

Subject: Retirement

After thirty four years and eleven months, I am retiring from Stearns County effective August 1, 2014. As the County Assessor for the last 23 years, I have enjoyed the opportunity to work with you. I have a lot of respect for what you do and the support you have given this office. You have made this job enjoyable, but all good things have to come to an end. I hope that in the future, that you continue to support this office.

Again, thank you for your past support and if you have any questions for me, give me a call.

Thanks,

The Minnesota Rural Water Association was formed in 1978. We are a non-profit association governed by a Board of Directors.

We are staffed with 16 full-time personnel trained to offer professional on-site technical assistance and training to water and wastewater system personnel in managerial, financial, operation and maintenance, source water, and wellhead protection issues.

MRWA is funded through grants, contracts, and memberships to allow us to offer our services at no charge to community water and wastewater systems and rural water districts with populations under 10,000.



Minnesota Rural Water Association

217 12th Avenue SE
Elbow Lake, MN 56531

Phone: 800-367-6792

Fax: 218-685-5272

E-mail: mrwa@mrwa.com

Web: www.MRWA.com



Minnesota Rural Water Association



MRWA

The mission of the Minnesota Rural Water Association shall be to provide the latest information, education, and technical assistance to protect our public waters and improve the quality of life in Minnesota.

Goals

- ◆ Provide a quality water supply to rural areas.
- ◆ Provide proper wastewater treatment to rural areas.
- ◆ Increase the operational and management knowledge of water, wastewater, and source water protection personnel.
- ◆ Increase the knowledge of the public in water, wastewater, and source water issues.
- ◆ Increase public awareness of water quality vulnerability and source water protection.
- ◆ Increase the professionalism of the rural and small community water and wastewater system personnel.



Objectives

- ◆ Provide professional training programs to rural and small municipal systems.
- ◆ Provide professional on-site technical assistance to rural and small community systems.
- ◆ Provide assistance to systems in acquiring financing to build, expand, and upgrade systems.
- ◆ Provide an informational outreach effort to rural and small community water and wastewater systems on new training and technical matters relating to regulatory and compliance issues, administrative and management issues, policies and procedures, financial issues, operation, and maintenance activities to meet the requirements of the Safe Drinking Water Act and Clean Water Act to enhance public awareness of water and wastewater issues and the value of the public water supply.

Technical Assistance

On-site technical assistance is provided to small municipal, non-municipal systems, rural water, and wastewater districts with populations less than 10,000. Technical on-site assistance is provided to water and wastewater system operators, groundwater wellhead protection advisory committees, and governing officials. We are the “hands-on” people. The association staff visits approximately 230 systems monthly. MRWA also hosts the largest water and wastewater Technical Conference and Exposition in the state.



Training Sessions

Approximately 60 accredited training sessions are held geographically across the state to educate water and wastewater personnel, decision makers, and



governing officials on the latest regulatory information, management, financial stability, operation and maintenance, and security of their systems, as well as board and council member development.



System Development

We provide assistance to newly forming non-profit rural water and wastewater districts so that the economy of the state of Minnesota and the quality of life of its rural citizens may be enhanced through the development of systems which can deliver high quality water and adequate waste disposal at the lowest feasible cost.



Outreach

Minnesota Rural Water Association publishes a quarterly magazine, *MRWA Today*, and a monthly newsletter, *The Technical Assistance Times*, which are disseminated to rural and community water and wastewater utilities, employees of public water and wastewater utilities, counties, agencies, governmental offices, source water personnel, industry members, legislative officials, and other friends. MRWA also hosts their own Web site, www.MRWA.com, which has the latest industry news from around the state.



Training Material

Training guides, technical bulletins, posters, slide presentations, videos, and a library of water, wastewater, and source water protection information is provided to rural and community systems to enhance the training of system personnel.

Decisions

Decisions made today will determine your system's future.